

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 93/99

Thursday the 17th day of June 1999.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

P.K.Paulose
S/o R.V.Kuriakose
R/o Plappallil House
Oorman P.O. Ernakulam.686730

K.D.Anil Kumar
S/o Dasappan Pillay
West Veliyathunad, Alangad.

...Applicants.

(By advocate Mr M.R.Rajendran Nair)

Versus

1. Union of India represented by
Secretary to Government of India
Department of Posts, New Delhi.
2. The Director General, Posts, New Delhi.
3. The Chief Postmaster General
Kerala Circle, Trivandrum.

...Respondents.


(By advocate Mr Govind K.Bharathan,SCGSC)

The application having been heard on 17th June 1999,
the Tribunal on the same day delivered the following:


O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

Applicants are working in the Mail Motor Service,
Ernakulam as Mechanics. Their grievance is that while they are
given pay scale of Rs. 950-1500 (pre-revised), Technicians of
the Telecom Department who are allegedly equally placed in
respect of duties as well as qualifications are given pay
scale of Rs.975-1660 (pre-revised) and that Drivers in the
same wing of Postal Department with basic qualification of
8th standard and Heavy Vehicle Driving Licence who are,
according to the applicants, unequal to them, are also given
the same pay scale of Rs. 950-1500 (pre-revised) and that
this action of the respondents in not placing them on higher
pay scale at least on par with Technicians of the Telecom
Department is wholly unjustified. Therefore, the applicants
have filed this application for a declaration that they are



entitled to get appropriate higher scale of pay on par with similar categories of employees of various other departments especially technicians of telecom department and for a direction to the respondents to grant them appropriate higher pay scale.

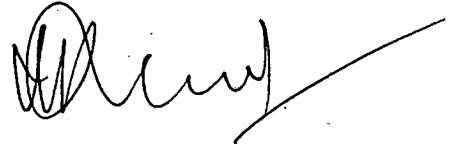
2. Taking notice of the application, the respondents have filed a detailed reply statement opposing grant of relief. It has been contended by the respondents that neither the duties and responsibilities nor the qualifications for recruitment to the post of Mail Motor Mechanic are equal to that of Technicians in the Telecom Department. It has also been contended that even prior to the implementation of the reports of the Fourth Central Pay Commission, the Mail Motor Mechanics had been on a totally different pay scale from that of Technicians of the Telecom Department. As the Fifth Central Pay Commission has not made a recommendation to grant to the category of Mail Motor Mechanic any higher pay scale than what has been given to them and as prescribing pay scale and service conditions is the prerogative of the Government basing on recommendations of an expert body like the Pay Commission, the respondents plead that the Tribunal may not interfere in the matter.
 3. On a careful scrutiny of the pleadings in this case, we are of the considered view that the applicants do not have a legitimate grievance that is required to be adjudicated by this Tribunal. The Fifth Central Pay Commission which is an expert body in regard to suggestions on pay scales to various officers of the Government of India has, on a careful analysis of the job requirement, structure of the cadre etc., recommended pay scales. This Tribunal does not have the
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expertise to sit in judgement against their recommendations which had been accepted by the Government. We, therefore, find nothing in this case which needs further deliberation and therefore the application is dismissed in limine.

Dated 17th June 1999.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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